

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Patent Application of:
David Hoerl et al.

Serial No.: 10/799,349

Filed: 03-12-2004

Title: Switchless KVM network with
wireless technology

Confirmation No. 6376

Art Unit : 2629

Examiner: Jeffrey J. Piziali

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Information Disclosure Statement is submitted in accordance with 37 C.F.R. 1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

1. This IDS should be considered, in accordance with 37 C.F.R. 1.97, as it is filed: (Check one of the boxes A-D)

A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above identified national application.

B. before the mailing date of a first office action on the merits, or a first office action after filing a request for continued examination.

C. after (A) and (B) above, but before final rejection or allowance, and Applicants have made the necessary statement in box "i" below or paid the necessary fee in box "ii" below.

(check one of the boxes "i" and "ii" below)

<input type="checkbox"/>	i.	Counsel states that, upon information and belief, each item of information listed herein was (check one of boxes (a) or
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		(b))
	<input type="checkbox"/>	(a) first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
	<input type="checkbox"/>	(b) not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.
	<input type="checkbox"/>	ii. Payment in the amount of the fee set forth in 1.17(p), presently believed to be \$180, is enclosed.
<input type="checkbox"/>	D.	after (A), (B) and (C) above, but before payment of the issue fee: Applicants petition under 37 C.F.R. 1.97(d) for the consideration of this IDS. Under 37 CFR 1.17(p) payment in the amount of \$180.00 is enclosed. Counsel certifies that, upon information and belief, each item of information listed herein was
(check one of the boxes "a" and "b" below:)		
	<input type="checkbox"/>	(a) first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
	<input type="checkbox"/>	(b) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.

2. In accordance with 37 C.F.R. 1.98, this IDS includes a list (e.g., form PTO/SB/08) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached, except as explained below.

(check boxes A, B and/or C and fill in blanks, if appropriate.)

<input checked="" type="checkbox"/>	A.	Pursuant to 37 C.F.R. § 1.98(a)(2)(ii), a copy/copies of the U.S. Patent(s) and/or U.S. Patent Application Publication(s) on PTO/SB/08 is/are not being submitted.
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<input type="checkbox"/>	B.	Document(s) _____ is (are) deemed substantially cumulative to document(s) _____, and, in accordance with 1.98(c), only a copy of each of the latter documents is enclosed.
<input type="checkbox"/>	C.	Certain documents were previously cited by or submitted to the Office in the following prior applications, which are relied upon under 35 U.S.C.120:

<<INSERT SERIAL NO. & FILING DATE>>

Applicants identify these documents by attaching hereto copies of the forms PTO-892, PTO-1449 and/or PTO/SB/08 from the files of the prior application(s) or a fresh PTO/SB/08 listing these documents, and request that they be considered and made of record in accordance with 1.98(d). Per 37 CFR 1.98(d), copies of these documents need not be filed in this application.

<input type="checkbox"/>	3.	Cite Nos. _____ are not in the English language. In accordance with 1.98(a)(3), Applicants state:
		<input type="checkbox"/> An English translation of each document (or of the pertinent portions thereof), or a copy of each corresponding English language patent or application, or English-language abstract (or claim) is enclosed.
		<input type="checkbox"/> The requirement for a concise explanation of the relevance of any foreign language document is satisfied by the attached search report; citation of the documents cited in the search report shall not be construed as an admission that they are or are considered to be, material to patentability of the subject matter claimed herein (See MPEP §609).
		<input type="checkbox"/> A concise explanation of the relevance of document(s) _____ is set forth as follows: [Insert concise explanation of relevance]
		<input type="checkbox"/> A concise explanation of the relevance of document(s) _____ can be found on page(s) _____ of the specification.
		<input type="checkbox"/> A concise explanation of document(s) _____ can be found on the attached sheet.
	4.	<input checked="" type="checkbox"/> Other information being provided for the examiner's consideration follows: The Notice of Allowance, mailed on May 31, 2012, in related U.S. Patent Application No. 12/881,255.

		The Communication from the Examining Division by the European Patent Office, mailed on May 10, 2012, in the related European Application No. EP 04783929.5.
		The two references, D1 and D2, discussed in the Communication from the Examining Division, are not cited as they were submitted to the USPTO in an IDS filed May 22, 2012.

Related Cases

5. Attached is a list of Applicants' pending application(s), published application(s) or issued patent(s) which may be related to the present application.
- Applicants, accordingly, cite the issued Office Actions and International Search Reports, and references cited in these related U.S. and foreign patent applications, in the attached form PTO/SB08a.

6. In accordance with 37 C.F.R. 1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in § 1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicants reserve the right to prove that the date of publication is in fact different.

Early and favorable consideration is earnestly solicited.

The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee due with this submission to Deposit Account No. 03-3839.

Respectfully submitted,

Date: 7/5/12

By 
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